IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY FIRST DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 12628 of 2004

Between:

V.Eshwaraiah, s/o Chandraiah,
Fair Price Shop Dealer, Kotyala Village, Mulug Mandal,
Medak District.

..... PETITIONER

AND

1 Joint Collector (Civil Supplies) Medak District at Sanga Reddy
2 The Revenue Divisional Officer, Siddipet, Medak District at Siddipet.
3 Mandal Revenue Officer, Mulug Mandal, Mulug, Medak District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue a writ of mandamus, or any other appropriate writ, order or direction, declaring the Proc.No.B/1101/2004 dt.25-6-2004 issued by the 2nd respondent as being illegal, arbitrary and violative of principles of natural justice and consequently set aside the same directing the 1st respondent to dispose of the stay petition and appeal filed by the petitioner

Counsel for the Petitioner:MR.K.RAGHUVEER REDDY

Counsel for the Respondent No.: GP FOR CIVIL SUPPLIES

The Court at the stage of admission made the following :

O R D E R:

The petitioner who is a fair-price shop dealer at Kotyala village, Mulug Mandal, Medak District, filed this Writ Petition, challenging the proceedings of the Revenue Divisional Officer, Siddipet, Medak District, dated 25.6.2004, whereunder the authorization of the petitioner has been suspended with immediate effect pending enquiry into certain allegations. Admittedly, the petitioner has already preferred an appeal against the said order, before the Joint Collector (Civil Supplies), Medak District at Sanga Reddy along with an application for stay and the same is still pending.

Though the petitioner raised various grounds contending that the impugned order of suspension is arbitrary and illegal, since the impugned order is the subject matter of the statutory appeal pending before the competent authority, I am not inclined to express any opinion on merits of the case. Instead, I deem it appropriate to dispose of the Writ Petition with a direction to the first respondent – the Joint Collector, to consider the application for stay filed by the petitioner in the appeal filed against the order of the Revenue Divisional Officer, dated 25.6.2004, and to pass appropriate orders in

accordance with law as expeditiously as possible, preferably within a period of two weeks from the date of receipt of a copy of this Order. It is made clear that no permanent appointment shall be made so far as the fair-price shop in question till the enquiry against the petitioner is concluded.

The Writ Petition is disposed of with the above direction. No costs.

21st July 2004

BCS/Md.AA

// TRUE COPY //

SECTION OFFICER

To

1 Joint Collector (Civil Supplies)

Medak District at Sanga Reddy,
2 The Revenue Divisional Officer, Siddipet, Medak District at Siddipet.
3 Mandal Revenue Officer, Mulug Mandal, Mulug, Medak District.

4. 2CCs to G.P.for Civil Supplies, High Court of A.P(Building),

Hyderabad (OUT),

5. .2CD copies